

FORM PTO-1390

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK

ATTORNEY'S DOCKET NUMBER 5621

TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371

U.S. APPLICATION NO.  
10/031,363

INTERNATIONAL APPLICATION NO.  
PCT/GB00/02803

INTERNATIONAL FILING DATE  
July 20, 2000

PRIORITY DATE CLAIMED  
July 20, 1999

TITLE OF INVENTION: MANIPULATION OF PARTICLES IN LIQUID MEDIA

APPLICANT(S) FOR DO/EO/US: Gary LOCK, Ronald PETHIG and Gerardus Hendricus MARKX

#3

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
  2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
  3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
  4. ☐ The US has been elected by the expiration of 19 months from the priority date (Article 31).
  5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
    - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
    - b. ☐ has been communicated by the International Bureau.
    - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
  6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2))
    - a. ☐ is attached hereto.
    - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
  7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
    - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
    - b. ☐ have been communicated by the International Bureau.
    - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
    - d. ☐ have not been made and will not be made.
  8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
  9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)) (Executed)
  10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).
- Items 11 to 20 below concern document(s) or information included:**
11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
  12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
  13. ☒ A **FIRST** preliminary amendment.
  14. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
  15. ☐ A substitute specification.
  16. ☐ A change of power of attorney and/or address letter.
  17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule13ter.2 and 35 U.S.C. 1.821 - 1.825.
  18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
  19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
  20. ☒ Other items of information: \$110.00 One-Month Extension Fee For Submission Of Executed Declaration.  
Copy Of Notification Of Missing Requirements Under 35 U.S.C. 371 In The United States Designated/Elected Office (DO/EO/US).

NOTE: \$130 surcharge for filing executed declaration later than 30 months was submitted on January 18, 2002 with applicant's request to enter the National phase.

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21. ☐ The following fees are submitted:

**BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)):**

Neither international preliminary examination fee (37 CFR 1.482)  
nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO  
and International Search Report not prepared by the EPO or JPO.....\$1,040

International preliminary examination fee (37 CFR 1.482) not paid to  
USPTO but International Search Report prepared by the EPO or JPO.....\$ 890

International preliminary examination fee (37 CFR 1.482) not paid to  
USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO.....\$ 740

International preliminary examination fee (37 CFR 1.482) paid to USPTO  
but all claims did not satisfy provisions of PCT Article 33(1)-(4).....\$ 710

International preliminary examination fee (37 CFR 1.482) paid to USPTO  
and all claims satisfied provisions of PCT Article 33(1)-(4).....\$ 100

**ENTER APPROPRIATE BASIC FEE AMOUNT =**

CALCULATIONS FOR PTO USE ONLY

Surcharge of \$130.00 for furnishing the oath or declaration later than  
months from the earliest claimed priority date (37 CFR 1.492(e)).

☐ 20 ☐ 30

\$

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$
Total claims	- 20 =		x \$ 18.00	\$
Independent claims	- 3 =		x \$ 84.00	\$

MULTIPLE DEPENDENT CLAIM(S) (if applicable)

+ \$280.00

\$

**TOTAL OF ABOVE CALCULATIONS =**

\$

☐ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above  
are reduced by 1/2.

\$

**SUBTOTAL =**

\$

☐ Processing fee of \$130 for furnishing the English translation later than  
months from the earliest claimed priority date (37 CFR 1.492(f)).

☐ 20 ☐ 30

\$

**TOTAL NATIONAL FEE =**

\$

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be  
accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property

\$

**TOTAL FEES ENCLOSED =**

\$ 110.00

17/05/2002 HKAYPAGH 00000135 10031363

01/05/2002 110.00 00

Amount to be  
refunded:

\$

charged:

\$

- a. ☒ A check in the amount of \$ 110.00 to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the above fees.  
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any  
overpayment to Deposit Account No. 02-3690. ~~A duplicate copy of this sheet is enclosed.~~
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information  
should not be included on this form. Provide credit card information and authorization on PTO-2038.

**NOTE:** Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b) must be  
filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

BREINER & BREINER, L.L.C.  
115 North Henry Street  
P.O. Box 19290  
Alexandria, Virginia 22320-0290

Mary J. Breiner  
SIGNATURE

Mary J. Breiner  
NAME

Date: July 1, 2002

33,161  
REGISTRATION NUMBER